

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

Joseph Chalifoux

v.

Case No. 20-cv-401-PB

BAE Systems, Inc. et al.

**O R D E R**

On September 22, 2020, the parties submitted a proposed discovery plan. Doc. no. 39. The discovery plan is approved with the following changes:

Scheduling Designation	Deadline
Joinder of Additional Parties <sup>1</sup>	Plaintiff: December 2, 2020
Rule 26(e) Supplementations	August 2, 2021

**Electronic Information Disclosures.** The parties shall meet and confer after the exchange of initial disclosures regarding the production of electronically stored information (ESI). These discussions should be framed in the context of specific claims and defenses and the nature and complexity of the matter. The parties shall consider the factors set out in Civil Form 2<sup>2</sup>

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<sup>1</sup> The joinder deadline must fall at least 30 days after the deadline for DeBenedetto disclosures.

<sup>2</sup> The parties are reminded that the court adopted a new template discovery plan as part of the December 1, 2019 amendments to the Local Rules. The revised Civil Form 2 and ESI

and submit a supplemental statement regarding ESI no later than December 15, 2020.

**Claims of privilege/protection of trial preparation materials.** The court adopts the parties' proposed 502(d) order (Doc. no. 39-1) and incorporates it by reference into this scheduling order.

**Completion of discovery.** The parties are advised that the court considers the deadline for the completion of discovery to be a deadline by which discovery is to be completed - not a deadline by which discovery is to be served. Propounding parties shall ensure that enough time remains in the discovery period for the recipient to provide its responses by that deadline. Where Federal Rule 33(b)(2), 34(b)(2), or 36(a)(3) would call for a response after the deadline, the recipient need not provide a response.

**Discovery disputes.** Should discovery disputes arise in this case, prior to filing a motion to compel, the parties may request an informal conference. The party or counsel seeking discovery-related relief should confer with opposing counsel, identify mutually available dates, and then contact the Deputy Clerk to schedule a conference with the court. The court will inform the parties and counsel what written materials, if any,

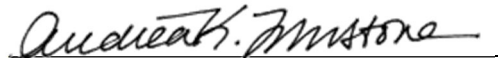
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checklist can be found here: <http://www.nhd.uscourts.gov/forms-0>.

will be permitted in advance of the conference. To the extent this informal process does not resolve the discovery dispute, the parties may file an appropriate motion.

**Status Conference.** The parties shall file a joint statement on the status of discovery no later than 60 days prior to the close of discovery deadline. The parties should indicate in that report whether they request a discovery status conference before the court. If the parties request a conference, or if the court otherwise deems one necessary, then the Clerk's Office shall schedule a conference as soon as is practicable.

SO ORDERED.



Andrea K. Johnstone  
United States Magistrate Judge

September 25, 2020

cc: Allan K. Townsend, Esq.  
Courtney H. G. Herz, Esq.  
Michael D. Ramsdell, Esq.  
Eulalio J. Garcia, Esq.  
Tara E. Lynch, Esq.